

HOUSE BILL 3788

By DeBerry J

AN ACT to amend Tennessee Code Annotated, Section
41-24-102, relative to private prison contracting.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-24-102, is amended by deleting the section in its entirety and by substituting instead the following language:

As used in this chapter, unless the context otherwise requires:

(1) "Commissioner" means the commissioner of correction;

(2) "Correctional services" means the following functions, services and activities, when provided within a prison or otherwise:

(A) Education, training and jobs programs;

(B) Recreational, religious and other activities;

(C) Development and implementation assistance for classification, management information systems, or other information systems or services;

(D) Food services, commissary, medical services, transportation, sanitation or other ancillary services;

(E) Counseling, special treatment programs, or other programs for special needs;

(F) Operation of facilities other than transitional facilities: including management, custody of inmates, security, and other associated services and activities; and

(G) Operation of transitional facilities.

(3) "Department" means the department of correction;

(4) "Prison" or "facility" means any adult institution operated by or under the authority of the department;

(5) "Prison contractor" or "contractor" means any entity entering a contractual agreement with the commissioner to provide correctional services to inmates under the custody of the department;

(6) "TDOC liaison" means any person appointed by the commissioner to act as the commissioner's on-site designee so that powers and duties not delegable to the contractor shall be carried out with the authority of the state; and

(7) "Transitional facility" means any adult institution, 150 beds or less, operated either by the department or by a non-profit entity operating under the authority of the department, and providing short-term transitional services to offenders within one year of release on parole or expiration of sentence, excluding offenders convicted of a sexual offense.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.